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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 BANK OF THE WEST, a California corporation,

10 Plaintiff,

11 v.

12 JAMES A. BARTON, individually and as
Trustee of the J&H BARTON FAMILY TRUST
13 DATED MARCH 8, 2000; JAMIE McNULTY,
an individual; JAMIE McNULTY and
14 KENNETH McNULTY as Trustees of the
McNULTY FAMILY TRUST,

15 Defendants.

CASE NO.: 2:14-cv-00770-APG-CWH

**DEFAULT JUDGMENT
AGAINST DEFENDANTS JAMES A.
BARTON, INDIVIDUALLY AND AS
TRUSTEE OF THE J&H BARTON
FAMILY TRUST DATED MARCH 8,
2000, JAMIE McNULTY,
INDIVIDUALLY, AND JAMIE McNULTY
AND KENNETH McNULTY, AS
TRUSTEES OF THE McNULTY FAMILY
TRUST**

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17 THIS MATTER having come before the Court pursuant to Plaintiff Bank of the West's
18 ("Plaintiff") Application for Default Judgment against Defendants James A. Barton, individually
19 and as Trustee of the J&H Barton Family Trust Dated March 8, 2000, Jamie McNulty,
20 individually, and Jamie McNulty and Kenneth McNulty, as Trustees of the McNulty Family
21 Trust (the "Application"), and the Court having reviewed the pleadings and papers submitted in
22 support thereof, judgment is hereby entered against Defendants James A. Barton, individually
23 and as Trustee of the J&H Barton Family Trust Dated March 8, 2000, Jamie McNulty,
24 individually, and Jamie McNulty and Kenneth McNulty, as Trustees of the McNulty Family
25 Trust (collectively the "Defendants"), jointly and severally, pursuant to Fed. R. Civ. P. 55(b)(2),
as follows:

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27 1. Plaintiff is hereby awarded a total amount of **\$705,948.56** against the Defendants,
28 jointly and severally, broken down as follows:

- a. Plaintiff is hereby awarded actual damages against the Defendants in the total amount of \$695,481.01 based upon the Defendants' breaches of their duties and obligations to Plaintiff as alleged in the Complaint and as set forth in the Application.
- b. Plaintiff is hereby awarded attorney fees incurred in the prosecution of this action in the amount of \$9,207.25, pursuant to the terms of the Guarantees (defined in the Application) and as set forth in the Application.
- c. Plaintiff is hereby awarded costs incurred in the prosecution of this action in the amount of \$1,260.30, pursuant to LR 54-1, the terms of the Guarantees, and as set forth in the Application.

2. Further, to this amount, **\$705,948.56**, Plaintiff is awarded interest at 9.1061%, the current rate of interest for the Loan (defined in the Application), from October 1, 2014, until all sums are paid in full.

IT IS SO ORDERED.

DATED this 22nd day of October, 2014.



UNITED STATES DISTRICT JUDGE